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Articles

ROMAN LAW IN AMERICAN LAW: TWENTIETH CENTURY CASES OF THE SUPREME COURT

Samuel J. Astorino 627

One of the most enduring problems of the legal history of the West concerns the influence of Roman law on the development and nature of subsequent legal systems. This Article examines cases decided roughly in the twentieth century by the United States Supreme Court in order to evaluate the manner, and extent, that that tribunal used Roman law. Legal historians who have ably chronicled the patterns of American legal development have almost totally ignored the presence of Roman doctrines in the jurisprudence of the United States. This Article delves into Roman Law in twentieth century Supreme Court cases to illustrate such a presence. Following some brief introductory remarks, this Article follows with a slightly modified chronological approach to Supreme Court case law. The Article concludes with an analysis of the meanings that may be gathered from these cases.

THE ERA OF GLOBALISATION AS A CHALLENGE TO INTERNATIONAL LAW

Stephan Hobe 655

The author explores the effects of globalization on international law. Considering the technological advancements of the 20th century propelling globalization, the Article first recounts the history of international law from independent nation-state sovereignty to an international law of cooperation.

Next, the author discusses the roles that non-governmental organizations and other non-state actors play in international law, and how sources of international law may result. Finally, the author concludes that international law must undergo fundamental changes to adapt to a new globalized international system.

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